



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,907	02/11/2004	Rens Hansort	092301-9011	3063

23510 7590 07/27/2004

MICHAEL BEST & FRIEDRICH, LLP
ONE SOUTH PINCKNEY STREET
P O BOX 1806
MADISON, WI 53701

EXAMINER

VARNER, STEVE M

ART UNIT	PAPER NUMBER
----------	--------------

3635

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/776,907

Applicant(s)

HANSORT, RENS

Examiner

Steve M Varner

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Fig. 1&2 and 15.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Francies, III et al. in view of Lancelot, III et al.

Regarding claims 1, 13, 22, Francies, III et al. shows a bar having a top, bottom and first and second sides, at least one attachment aperture (A), at least one reinforcement bar aperture (B), and at least one passthrough aperture (C) (See Fig. 15 attached);

Francies, III et al. does not show a projection, the projection being positioned adjacent the second side of the bar and comprising an upwardly projecting top face, a downwardly projecting bottom face, a forwardly projecting front face and a rearwardly projecting rear face. Lancelot, III et al. shows a projection (64, 66), the projection being positioned adjacent the second side (48) of the bar and comprising an upwardly projecting top face (67a, 67b), a downwardly projecting bottom face (D, E), a forwardly projecting front face (64a) and a rearwardly projecting rear face (66a) (See Fig. 1, 2 attached). It would have been obvious to one of ordinary skill in the art at the time the present invention was made to have a projection as in Lancelot, III et al. in the structure of Francies, III et al. to better bond with the concrete.

Art Unit: 3635

Francies, III et al. shows a rectangular shaped bar (Fig. 22).

Applicant fails to show criticality for the square shaped embodiment; therefore, the square shape is an obvious design choice.

Regarding claims 2, 14, 23, Francies, III et al. shows the basic claimed structure. Francies, III et al. does not show the bar and the projection are integrally formed. Lancelot, III et al. shows the bar (52) and the projection (64, 66) are integrally formed (Col. 2, Line 31) (Fig. 1-4). It would have been obvious to one of ordinary skill in the art at the time the present invention was made to have the projection integrally formed as in Lancelot, III et al. to make a strong anchor.

Regarding claims 3, 4, Francies, III et al. shows the basic claimed structure. Francies, III et al. does not show the upwardly projecting top face is one of two upwardly projecting top faces and the downwardly projecting bottom face is one of two downwardly projecting bottom faces. Lancelot, III et al. shows show the upwardly projecting top face is one of two upwardly projecting top faces (67a, 67b) and the downwardly projecting bottom face is one of two downwardly projecting bottom faces (D, E). It would have been obvious to one of ordinary skill in the art to have projecting faces as in Lancelot, III et al. in the structure of Francies, III et al. to bond with the concrete.

Regarding claims 5, 19, 27, Francies, III et al. shows a first channel (F), a platform face (G), and a second channel (H) (See Fig. 15 attached).

Art Unit: 3635

Regarding claim 6, Francies, III et al. shows the top of the bar further comprises a first upwardly projecting face (I) and a second upwardly projecting face (J) (See Fig. 15 attached).

Regarding claims 7, 15, Francies, III et al. shows the second side of the bar further comprises a downwardly projecting side face (K), and an extending side face (L) the extending side face forming at least a portion of the projection (See Fig. 15 attached).

Regarding claims 8, 20, Francies, III et al. shows the bar further comprises a wedged shaped foot (M) positioned adjacent the bottom of the bar (See Fig. 15 attached).

Regarding claims 9, 18, 26, Francies, III et al. shows a crescent shaped indentation (N) defined in the first side of the bar (Fig. 15).

Regarding claims 10, 16, 25, Francies, III et al. shows a shear plate aperture (O) defined in the bar and positioned adjacent the second side of the bar (See Fig. 15 attached).

Regarding claim 11, 24, Francies, III et al. shows the projection (P) includes a first side face (Q) and a second side face (R), the first side face at least partially defining at least one of a shear plate aperture and a passthrough aperture, and the second side face at least partially defining the second side of the bar (See Fig. 15 attached).

Regarding claims 12, 21, 28, Francies, III et al. shows the basic claimed structure. Francies, III et al. does not show the at least one passthrough aperture is designed so that the weight of the anchor is reduced by at least 30%. It would have

been an obvious design choice to reduce the weight by 30% to make the anchor easier to transport.

Regarding claim 17, Francies, III et al. shows a shear plate aperture (O) defined in the bar and positioned adjacent the extending side face (See Fig. 15 attached).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kelly '846 shows a lifting anchor for embedment in concrete members. Kelly '251 shows winged concrete anchor. Kelly et al. shows a planar concrete anchor.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve M Varner whose telephone number is 703 308-1894. The examiner can normally be reached on M-F 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl D Friedman can be reached on 703 308-0839. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SV 


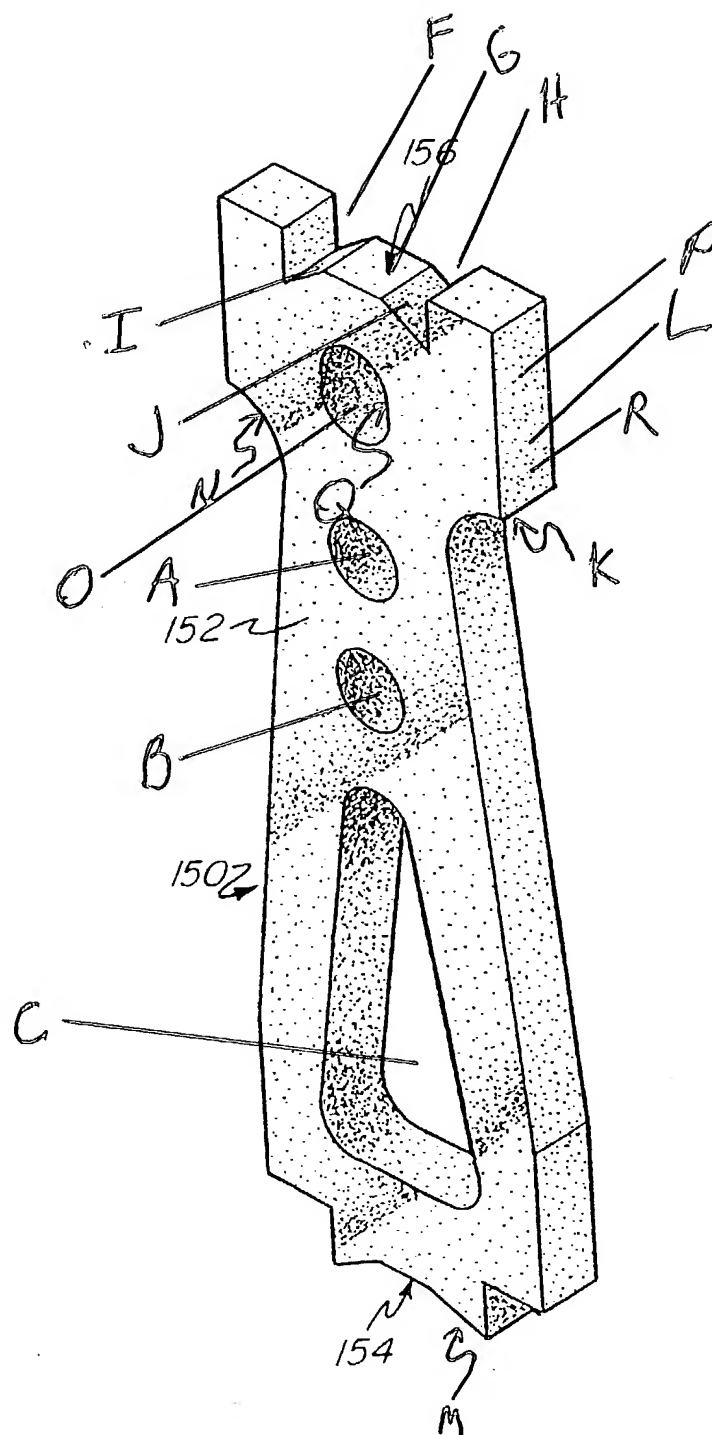

Carl D. Friedman
Supervisory Patent Examiner
Group 3600

FIG-15



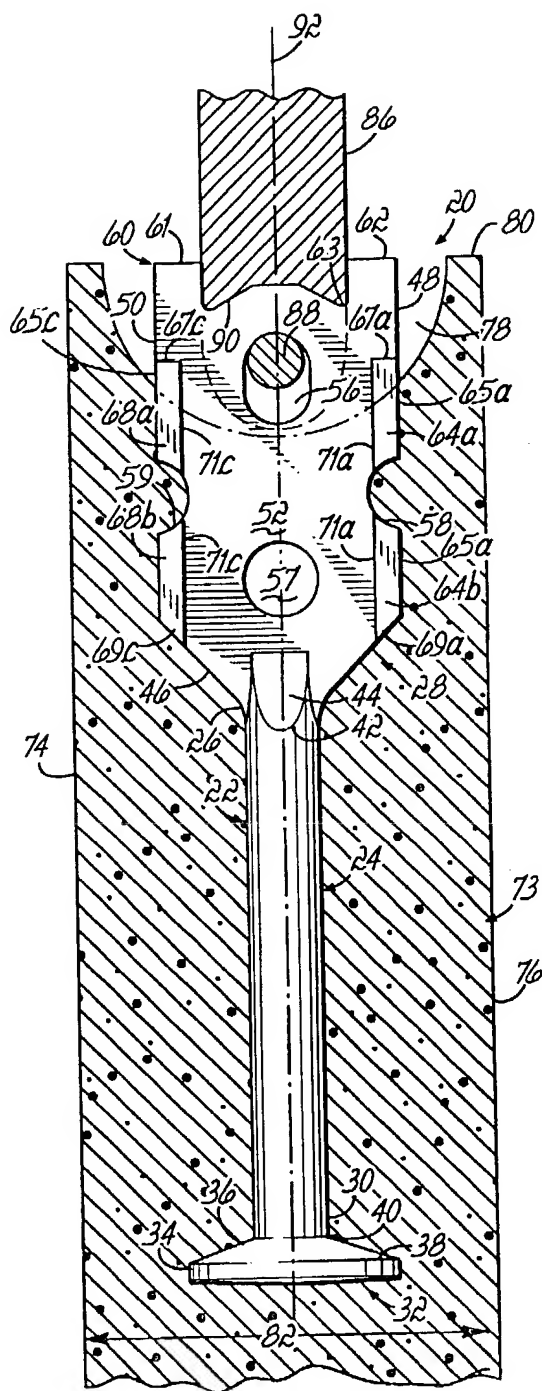


FIG. 1

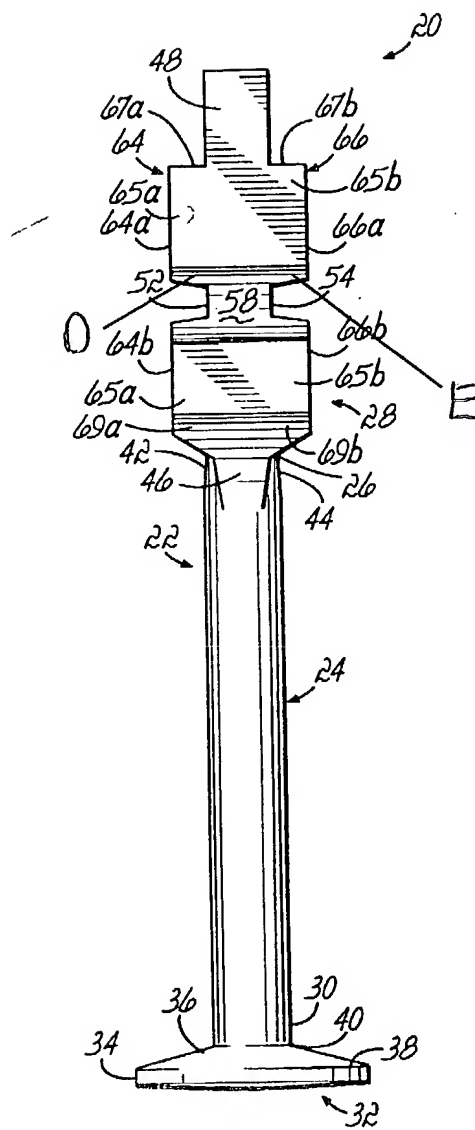


FIG. 2